

REMARKS

This Amendment is responsive to the Office Action identified above, and is further responsive in any other manner indicated below.

PENDING CLAIMS

Claims 1-5 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment, and are simply refocused claims in which Applicant is present interested. At entry of this paper, Claims 1-5 will remain pending for further consideration and examination in the application.

REJECTION UNDER 35 USC '102

The 35 USC '102 rejection of claims 1-5 as being anticipated by Jacob *et al.* (U.S. Patent 6,636,590) is respectfully traversed. However, such rejections have been rendered obsolete by the present clarifying amendments to Applicant's claims, and accordingly, traversal arguments are not appropriate at this time. However, Applicant respectfully submits the following to preclude renewal of any such rejections against Applicant's clarified claims.

All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated hereat by reference. Further, all Office Action statements regarding the prior art rejections are

respectfully traversed. As additional arguments, Applicant respectfully submits the following.

In order to properly support a '102 anticipatory-type rejection, any applied art reference must disclose each and every limitation of any rejected claim. The applied art does not adequately support a '102 anticipatory-type rejection because, at minimum, such applied art does not disclose (or suggest) the following discussed limitations of Applicant's claims.

More particularly, Applicant's disclosed and claimed invention is directed toward telephony (e.g., repeater, telephone, program) arrangements, enabling connection to telephones (existing on a LAN network) even without having to specify the address of a receiver-side telephone unit. By not having the requirement of having to specify the address of the receiver-side telephone, cheaper and/or less complex telephony arrangements may be constructed. Applicant's invention facilitates the connection, basically by polling potential receiver-side telephones whenever there is a call to be connected, to see which ones of the receiver-side telephones is presently operationally capable of receiving the call. Applicant's invention then selects one of receiver-side telephones as a selected phone, and finally initiates operations towards completion of connection of the incoming call to the selected phone.

In terms of distinguishing claim language, independent claim 1, for example, recites, "said repeating device comprising a function, effected at a time of an incoming call to be connected, for requesting that each receiver-side telephone unit of said plurality of receiver-side telephones then respond indicating their instantaneous operational capability to receive the incoming

call, a function for selecting, out of the plurality of receiver-side telephones that responded, a receiver side telephone unit to which the incoming call is to be connected, and a function for notifying the address of the selected receiver-side telephone unit to a caller-side telephone. Other ones of Applicant's claims have similar or analogous features/limitations.

Turning now to preclusion of the applied art, Jacob *et al.* fails to anticipate, in that Jacob *et al.* has no arrangement which meets (or suggests) the above highlighted limitations of Applicant's claims. More particularly, Jacob *et al.*'s arrangement, at minimum, has no "function, effected at a time of an incoming call to be connected, for requesting that each receiver-side telephone unit of said plurality of receiver-side telephones then respond indicating their instantaneous operational capability to receive the incoming call". Instead, Jacob *et al.*'s arrangement allows service providers (e.g., doctors, psychiatrists) to designate their personal "on call" status for accepting service calls.

More particularly, such "on-call" status is registered in advance, rather than being "effected at a time of an incoming call to be connected", and concerns the availability of the human service provider, rather than the "instantaneous operational capability [of the receiver-side telephone unit] to receive the incoming call". In short, Applicant's invention is testing equipment (receiver-side telephone units) at the time of an incoming call, to see whether the equipment is ready/capable to receive the call, while Jacob *et al.*'s arrangement concerns advance notice of "on-call" availability of humans.

As a result of all of the foregoing, it is respectfully submitted that the applied art would not support a '102 anticipatory-type rejection of Applicant's claims.

Accordingly, reconsideration and withdrawal of such '102 rejection, and express written allowance of all of the '102 rejected claims, are respectfully requested.

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer of any scope or subject matter. Further, Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, *i.e.*, Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

EXAMINER INVITED TO TELEPHONE

The Examiner is invited to telephone the undersigned at the local D.C. area number 703-312-6600, to discuss an Examiner's Amendment or other suggested action for accelerating prosecution and moving the present application to allowance.


CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the

application are in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

To whatever other extent is actually necessary, Applicant respectfully petitions the Commissioner for an extension of time under 37 CFR §1.136. Please charge any actual deficiency to ATS&K Deposit Account No. 01-2135 (Case No. 648.40709X00).

Respectfully submitted,



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